REMARKS

A first Office Action was mailed on October 26, 2004. Claims 1 – 17 are pending in the present application. With this response, Applicant amends claims 1, 11, 12, 14 and 17. No new matter is introduced. Support for the amendments may be found, for example, in Applicant's specification at page 6, line 21 through page 8, line 3.

ALLOWABLE CLAIMS

Applicant thanks the Examiner for indicating that claims 11 and 12 are objected to as being dependent on rejected base claim 1 and intervening claim 5, but that each would be allowable if rewritten in independent form including all limitations from the base claim and intervening claim. Applicant amends claim 11 accordingly, and respectfully submits that amended claim 11 is allowable. Applicant amends claim 12 to address informalities. As claim 12 depends from allowable claim 11, Applicant submits that claim 12 is allowable for at least this reason. Therefore, Applicant respectfully requests that the objection be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1 – 10 and 13 – 17 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,192,008 to Hwan. Applicant amends independent claims 1, 14 and 17 to further clarify the nature of his invention, and respectfully traverses the rejection.

In independent claim 1, for example, Applicant discloses:

> **1.** A dispenser for dispensing extrudable material from a cartridge, said dispenser comprising:

a housing including first and second recesses, the first recess configured to receive and position the cartridge so that a longitudinal axis of the cartridge is aligned with a longitudinal axis of the first and second recesses;

a plunger movable along the longitudinal axis of the first and second recesses;

a driver element, mounted in the second recess, that selectively engages and moves the plunger in a forward direction along the longitudinal axis of the first and second recesses, and selectively disengages from the plunger to allow the plunger to move in a rearward direction along the longitudinal axis of the first and second recesses; and

a clutch element, confined within a cavity in the second recess, that selectively engages the plunger to restrain movement of the plunger in the rearward direction;

such that, when the clutch element engages the plunger, movement of the plunger in the rearward direction is limited to a predetermined distance, said predetermined distance being controlled by a depth of said cavity and a thickness of the clutch element.

Hwan discloses a pulling mechanism for an adhesive gun, described as follows for example in the abstract:

A pulling mechanism of an adhesive-dispensing gun, comprising a gun barrel having a rear wall, a gun base, a trigger and a push rod, wherein a stopper plate is pivotably disposed in the gun base and formed with a hole through which the push rod extends, and wherein a push plate is disposed in the gun base and formed with a hole through which the push rod extends, a first and a second springs being fitted on the push rod on two sides of the stopper plate, one end of the first spring contacting the rear wall of the gun barrel for pushing the stopper plate, one end of the second spring being used to push the push plate, the lower end of the push plate being driven by the trigger to push the push rod forward, a torque spring being disposed on a pivot of the trigger to restore the trigger back to its home position and push the stopper plate out of the stopping position, whereby the push rod can be directly pulled back and <u>once the trigger is released, the push rod is free from any pressure</u> and no excessive adhesive will be dispensed.

(Emphasis added)

As further described at column 2, line 67 – column 3, line 7 of Hwan:

> As shown in FIG. 6, when the trigger 8 is released again, the stopper plate 4 is pushed out of the stopping position. Meanwhile, the stopping force against the push rod 1 is eliminated and thus the push rod can be pulled back to its home position freely. At this time, because the push rod 1 is free from any force, the adhesive contained in the gun barrel 2 is free from any pressure so that no excessive adhesive will be further dispensed.
>
> (Emphasis Added)

In Applicant's claimed invention according to amended independent claim 1, a driver element and clutch element mounted in a housing recess of the claimed dispenser operate to respectively control forward and rearward movement of a plunger that moves along a longitudinal axis of the dispenser. The clutch element is confined within a cavity in the second recess, and selectively engages the plunger to limit rearward movement of the plunger when a driving force in the forward direction is released. When the clutch element engages the plunger as it travels in the rearward direction, movement of the plunger in the rearward direction is limited to a predetermined distance. This predetermined distance is controlled by a depth of the cavity within which the clutch element is confined and a thickness of the clutch element (see, e.g., page 7, lines 12 – 20 of Applicant's specification).

Thus, according to Applicant's claimed invention, and in sharp contrast to the adhesive gun of Hwan, rearward travel of the plunger of Applicant's dispenser upon release of the driving force in the forward direction is limited to a predetermined distance. Unlike Hwan's adhesive gun, upon initial release of the driving force, Applicant's plunger cannot be "pulled back to its home position freely". Rather, further manipulation of the clutch element is required to enable a full release. By limiting, rearward travel, Applicant's claimed invention provides the advantage of allowing a sufficient rearward travel to reduce production of "over-extruded material" upon release

of the driving force, while at the same time maintaining a plunger position that will minimize the forward distance that must be traveled to extrude material once the driving force in the forward direction is reapplied.

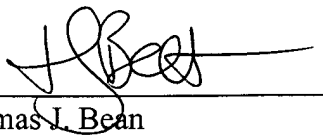
Accordingly, Applicant respectfully submits that amended independent claim 1 is not anticipated by Hwan, and is therefore allowable. Applicant substantially reapplies the same arguments to amended independent claims 14 and 17, which share the limitations of claim 1 in regard to rearward travel of the plunger, and submits that amended independent claims 14 and 16 are also allowable. As dependent claims 2 – 10, 13, 15 and 16 each depend from one of allowable claims 1 and 14, Applicant submits that claims 2 – 10, 13, 15 are allowable for at least this reason.

CONCLUSION

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 1 - 17, consisting of independent claims 1, 11, 14 and 17, and the claims dependent therefrom, are in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, she is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,



Thomas J. Bean
Reg. No. 44,528

CUSTOMER NUMBER 026304

PHONE: (212) 940-8800/FAX: (212) 940-8776
DOCKET No.: 100593-00188 (WHAL 19.817)